

LC 3175
2019 Regular Session
2/15/19 (DRG/ps)

D R A F T

SUMMARY

Prohibits police officers commissioned by public university from carrying firearms as police officers outside of police headquarters if public university is located in city with population exceeding 150,000.

Becomes operative January 1, 2020.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to public university police officers; creating new provisions; amending ORS 352.121; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 352.121 is amended to read:

352.121. (1) The governing board of a public university listed in ORS 352.002 may authorize the university to establish a police department and commission one or more employees as police officers. A police department established under this section has all of the authority and immunity of a municipal police department of this state.

(2) **Except as provided in subsection (3) of this section,** police officers commissioned under this section:

(a) May enforce criminal laws and any administrative rules and policies adopted by the governing board; and

(b) Have all the authority and immunity of a peace officer or police officer of this state.

(3)(a) If a public university that establishes a police department and commissions one or more employees as police officers is located in a city with a population exceeding 150,000, the police officers commis-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 sioned by the public university:

2 (A) May be authorized to carry firearms as police officers within the
3 police headquarters; and

4 (B) May not be authorized to carry firearms as police officers out-
5 side of the police headquarters.

6 (b) As used in this subsection, "police headquarters" means the
7 portion of any building occupied by a police department established
8 under this section.

9 [(3)] (4) When a university establishes a police department and commis-
10 sions one or more employees as police officers, the president of the univer-
11 sity, in cooperation with the chief of the police department, shall establish
12 a process by which the university will receive and respond to complaints
13 involving the policies of the police department and the conduct of the police
14 officers.

15 [(4)] (5) The governing board may:

16 (a) Enter into an agreement, or authorize the university under its control
17 to enter into an agreement, with a municipal corporation or any department,
18 agency or political subdivision of this state for the provision of mutual aid
19 by their respective police officers.

20 (b) Adopt standards to carry out the provisions of this section.

21 **SECTION 2. The amendments to ORS 352.121 by section 1 of this**
22 **2019 Act become operative on January 1, 2020.**

23 **SECTION 3. The governing board of a public university listed in**
24 **ORS 352.002, a public university and a police department established**
25 **by a public university may take any action before the operative date**
26 **set forth in section 2 of this 2019 Act that is necessary to enable the**
27 **governing board, public university and police department to exercise,**
28 **on and after the operative date set forth in section 2 of this 2019 Act,**
29 **the duties, functions and powers of the governing board, public uni-**
30 **versity and police department pursuant to ORS 352.121, as amended**
31 **by section 1 of this 2019 Act.**

1 **SECTION 4.** This 2019 Act takes effect on the 91st day after the date
2 on which the 2019 regular session of the Eightieth Legislative Assem-
3 bly adjourns sine die.

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